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October 20, 1999

Jennifer H. Boyt
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 4929 (Gannett Co.)

Dear Ms. Boyt:

I am in receipt of a letter from the Federal Election Commission notifying me that a complaint has been filed against Gannett Co., Inc. and numerous other news media organizations claiming that we may have violated the Federal Election Campaign Act of 1971, as amended ("Act").

The complaint is vitriolic regarding the news media. Fundamentally, however, the complaint alleges only that Gannett violated the law by covering the news with respect to campaigns for federal elections. Covering the news is not a violation of law. Indeed, the Act contains an explicit exemption regarding the news media so that it will not be subjected to complaints such as this one. Specifically, the Act exempts from the definition of the term "expenditure" "any news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate." 2 U.S.C. § 431(9)(B)(i). See also 11 C.F.R. § 100.8(b)(2). As a media entity, Gannett qualifies for this exemption. It is not "owned or controlled by any political party, political committee, or candidate," and it distributes the news through its facilities.

Thus, we ask that this complaint be dealt with expeditiously and that the Commission affirmatively find "no reason to believe a violation has occurred."

Thank you for your attention to this matter.

Sincerely,

David P. Fleming

DPF/bas